

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONTAE LARAIL MCFADDEN,
Plaintiff,
v.
SAM WONG,
Defendant.

No. 2:22-cv-1234 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights action, has filed a motion to compel discovery. ECF No. 33. However, the deadline for filing motions to compel discovery was December 18, 2023. ECF No. 32. Plaintiff's motion is therefore untimely by nearly a month and provides no explanation for the delay in filing. Moreover, even if the court were willing to overlook the untimeliness of the filing, the motion does not reproduce the requests at issue or defendant's responses and makes only general assertions regarding why defendant's responses were deficient.

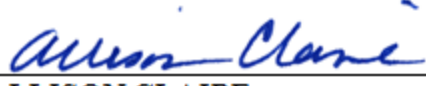
The Court does not hold prisoners proceeding pro se to the same standards that it holds attorneys. However, at a minimum, as the moving party plaintiff bears the burden of informing the court of which discovery requests are the subject of his motion to compel and, for each disputed response, why defendant's objection is not justified.

Waterbury v. Scribner, No. 1:05-cv-0764 OWW DLB PC, 2008 WL 2018432, at *1, 2008 U.S.

1 Dist. LEXIS 53142, at *3 (E.D. Cal. May 8, 2008). Without the original requests; defendants'
2 responses, including any objections; and plaintiff's explanation as to why the responses are
3 deficient, the court is unable to determine whether production should be compelled. For all these
4 reasons, the motion will be denied.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to compel (ECF No. 33)
6 is DENIED.

7 DATED: January 24, 2024

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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